

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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ELENA ALVAREZ,

Plaintiff,

v.

ADVANCE AUTO PARTS, INC., et al.,

Defendants.

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Civil Action No.: 17-4203 (MAS) (TJB)

**MEMORANDUM ORDER**


**THIS MATTER** comes before the Court upon the Report and Recommendation (“R&R”) of the Honorable Tonianne J. Bongiovanni, U.S.M.J., regarding Plaintiff Elena Alvarez’s (“Plaintiff”) failure to prosecute this matter and comply with the Court’s orders. (R&R, ECF No. 41.) Judge Bongiovanni’s R&R provides a detailed account of the procedural history of this matter, including scheduling orders, correspondence from Defendants regarding Plaintiff’s discovery deficiencies, conferences with the Court, and numerous attempts by the Court to contact Plaintiff’s counsel. (R&R 1–3.) The R&R also sets forth the legal standard, evaluates the factors set forth in *Poulis v. State Farm Fire and Casualty Co.*, 747 F.2d 863, 868 (3d Cir. 1984), and ultimately recommends that the Court dismiss Plaintiff’s claims with prejudice. (R&R at 3–6.)

Plaintiff failed to object to Judge Bongiovanni’s R&R pursuant to Local Civil Rule 72.1(c)(2). Moreover, the docket in this matter reflects no effort whatsoever by Plaintiff to comply with the most basic of discovery obligations. (*See generally* R&R; Defs.’ Dec. 4, 2019 Correspondence, ECF No. 40.)

The Court has carefully reviewed and considered the R&R and other documents on file in this matter and finds good cause to adopt Judge Bongiovanni’s findings. Accordingly,

**IT IS** on this 17<sup>th</sup> day of July 2020, **ORDERED** that:

1. The R&R (ECF No. 41) is hereby **ADOPTED** as the Findings of Fact and Conclusions of Law of this Court.
2. Plaintiff's Amended Complaint (ECF No. 17) is **DISMISSED WITH PREJUDICE**.

  
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**MICHAEL A. SHIPP**  
**UNITED STATES DISTRICT JUDGE**